

E-filed 1/11/06

1 KEVIN V. RYAN (CSBN 118321)
United States Attorney

2 EUMI L. CHOI (WVBN 0722)
3 Chief, Criminal Division

4 STEPHANIE M. HINDS (CSBN 154284)
Assistant United States Attorney

5 450 Golden Gate Avenue, Box 36055
6 San Francisco, California 94102
7 Telephone: (415) 436-6816
8 Facsimile: (415) 436-6748
email: stephanie.hinds@usdoj.gov

9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE VENUE

13 UNITED STATES OF AMERICA,)
14 Plaintiff,)
15 v.)
16 \$82,464.18 IN NET PROCEEDS FROM)
17 THE SALE OF 1489 HARRIET AVENUE,)
18 CAMPBELL, CALIFORNIA,)
19 Defendant.)
20

No. C 02-5105 JF

**STIPULATION AND ~~PROPOSED~~ ORDER
TO EXTEND STAY AND CONTINUE
CASE MANAGEMENT CONFERENCE**

Date: January 13, 2006
Time: 10:30 a.m.
Place: Hon. Jeremy Fogel

21 IT IS HEREBY STIPULATED by and between plaintiff United States of America and claimants
22 Michael and Jessica Costa, through undersigned counsel, that this Court enter a further Order staying this
23 action, pursuant to 21 U.S.C. § 881(i). Claimants are defendants in United States v. Michael Costa, et
24 al., CR 02-20059 JF. The allegations in the forfeiture complaint are based, in large part, on the
25 allegations at issue in the pending criminal action. Consequently, the parties agree that a stay in the
26 forfeiture proceeding is appropriate in order to preserve each claimant's right against self-incrimination
27 in the related criminal matter. The parties are advised that the criminal case is still ongoing. Thus, the
28 factual predicate for the initial request for the stay has not changed since the criminal case is ongoing.

DATED: 01/06/06

_____/S/_____
STUART KIRCHICK
Attorney for Claimants Michael and Jessica Costa

Upon the stipulation of counsel, and good cause appearing, the above-captioned civil forfeiture action is stayed in light of the pending related criminal prosecution of claimants Michael and Jessica Costa. The case management conference currently scheduled for January 13, 2006, is vacated. The matter is continued until 5/12/06 for further status.

JEREMY FOGEL
United States District Judge

